



Appeal Decision

Site visit made on 21 July 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/M9496/W/25/3363131

The Moon Inn, High Street, Stoney Middleton, Derbyshire S32 4TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Duroe (Stonemoon Ltd) against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0124/0111.
 - The development proposed is described as 'this application is for replacement windows to the front elevation to the pub, the side and rear windows have been in place for over 9 years so they will stay as is. We wish to replace the existing windows with high quality composite sliding sash windows coloured cream, because of their size difference the upstairs windows will be split one third top sash two third lower sash with 6 panes. The lower floor windows will be split half and half with 8 panes, all to match original style.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building the Moon Inn, a non-designated heritage asset (NDHA), and whether it would preserve or enhance the character or appearance of the Stoney Middleton Conservation Area (SMCA).

Reasons

3. The appeal site relates to a two-storey rendered public house that faces High Street and lies within the SMCA. The significance of the building, which is an NDHA, lies primarily in its architectural interest arising from its traditional design and age, and its historical interest as a community hub. The building occupies a prominent position within the street scene, sitting next to the junction of High Street with The Avenue and The Nook. Its prominence is further accentuated by its render, which makes it stand out among the nearby stone buildings. Given its siting, the building, particularly its front elevation, contributes positively to the character and appearance of the SMCA, whose significance in the context of this appeal is derived from the historic buildings and their layout within the area.
4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. National policy on heritage assets is set out in the National Planning Policy Framework (the Framework). At paragraph 202 it states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

5. The proposal seeks to replace the existing dark grey uPVC windows on the front elevation of the building with uPVC/composite sash windows in a cream colour. This follows an application for those windows being dismissed on appeal¹.
6. The windows on the front elevation are an important aspect of the building's character because of their number, placement and symmetry despite the change in the land levels, and overall prominence within the street scene. The appellant's evidence indicates that the proposed sash design, including the subdivisions, are similar to the style of the original windows. However, uPVC and composite, as outlined within the application form, are not traditional materials and tend to be bulkier, flatter, smoother and glossier in finish than traditional timber units, giving them a modern and less refined appearance. Whilst the design would match that of the original windows in terms of glazing pattern, based on the illustrations outlined within the appellant's statement, and the colour would reflect that of some neighbouring windows, these elements would not be sufficient to make the proposed windows acceptable. Accordingly, the use of uPVC/composite would cause significant harm to the appearance of the building, and thus its significance. Given the prominence of the building and its importance in the street scene, the proposal would also have an adverse effect on the character and appearance of the SMCA.
7. My attention has been drawn to other examples of uPVC windows within the area, which I observed during the site visit. I also note that the appeal building has uPVC windows on other elevations. However, the windows on the front elevation of the building appear particularly prominent in the street scene because of the position of The Moon Inn immediately adjacent to the road, and in any event the existing uPVC windows in the area do not constitute examples of sympathetic development in a conservation area. Therefore, the scheme before me would constitute a form of development detrimental to the character and appearance of the NDHA and the SMCA.
8. In terms of the approach set out in the Framework at paragraph 216 regarding NDHAs, given the scale and nature of the development, the arising harm would be less than substantial. Given the importance of the windows on the front elevation, within the 'less than substantial' category of harm, the proposal would cause moderate harm. Paragraph 216 also sets out that in such circumstances, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
9. Given the scale of the proposal and the extent of the conservation area, harm to the significance of the SMCA would be low within the less than substantial category. Due to the impact of the proposal on the SMCA, the identified harm should be weighed against the public benefits of the proposal in accordance with paragraph 215 of the Framework.
10. The appellant asserts that the proposed double glazing would provide high thermal performance and sound insulation for the neighbouring properties. However, I have not been provided with substantive evidence with respect to either of these points. Accordingly, these considerations attract limited weight as public benefits. As such, the public benefits are not sufficient to outweigh the harm I have identified, harm which, given the requirements of the Act, carries great weight.

¹ Appeal ref: APP/M9496/W/22/3313446 dismissed 31 July 2023

Taking a balanced approach, it would also have an unacceptable effect on the significance of the NDHA. I note that the Parish Council supports the proposal. However, this does not alter my findings above regarding the identified harm.

11. For the above reasons, the proposal would be detrimental to the character and appearance of the host building and would fail to preserve or enhance the character or appearance of the SMCA. Thus, it would not meet the statutory requirements of the Act. Furthermore, the development would be contrary to the aims of Policies GSP1, GSP3, L3 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document 2011, and Policies DMC3, DMC5, DMC8 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park 2019, which collectively require that, amongst other things, development should be appropriate to its context and protect and enhance historic assets. The proposal would also conflict with the aims of the Framework, as set out above.

Conclusion

12. For the reasons given above and having had regard to all other matters raised, the appeal is dismissed.

Andreea Spataru

INSPECTOR